

The Honorable Jamal N. Whitehead

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

INCIDENT CATERING SERVICES, LLC,  
doing business as ELLIPSE GLOBAL, a  
Limited Liability Company,

Plaintiff,

v.

KENNETH ERROL NANCE, an individual,

Defendant.

No. 2:22-CV-00591-JNW

STIPULATION AND ORDER  
ADDING ALPINE PACIFIC  
CAPITAL, LLC AS A PARTY TO  
THE PROTECTIVE ORDER

KENNETH ERROL NANCE, individually,

Counterclaim Plaintiff,

v.

INCIDENT CATERING SERVICES, LLC and  
MIKE HOLM, individually and on behalf of  
his domestic community with Jane Doe Holm,  
and RAQUEL LACKEY, individually and on  
behalf of her domestic community with John  
Doe Lackey,

Counterclaim Co-  
Defendants.

STIPULATION AND ORDER - 1

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**I. STIPULATION**

The Parties are asking that Alpine Pacific Capital, LLC be allowed to designate documents as confidential under the Stipulated Protective Order [Dkt. 24] (the “Protective Order”) entered in this case. The stipulation is based on the following:

1. The parties agreed to, and the Court signed, the Protective Order on November 1, 2022. Dkt. 24.
2. The Protective Order did not include a third-party clause that would explicitly authorize third parties producing documents in response to subpoena duces tecums to designate documents as confidential.
3. Defendant Ken Nance issued a subpoena duces tecum to Alpine Pacific Capital, LLC (“Alpine”) on November 11, 2023, with a response date of December 12, 2023. Alpine requested an extension to respond to the subpoena due to the holidays and a need to gather the documents.
4. Alpine previously owned Plaintiff/Counterclaim Defendant Incident Catering Services, LLC.
5. Alpine is now ready to produce documents, but is asking that some of the documents it will produce be kept confidential under the Protective Order.
6. The Parties agree that Alpine should be allowed to produce documents with the ability to designate documents as “Confidential” pursuant to the Order.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

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Dated: March 4, 2024

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Attorneys for Plaintiff Incident Catering  
Services, LLC; and Mike Holm

## II. ORDER

Based on the above stipulation of the parties, the Court Orders as follows:

1. Alpine shall be entitled to designate documents as “Confidential” under the

Protective Order with all the protections afforded Confidential documents under  
STIPULATION AND ORDER - 3

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1 the Protective Order.

2 2. Counsel shall provide a copy of this Order to Alpine.

3 3. If Alpine designates documents as Confidential under the Protective Order, it will  
4 also be agreeing to abide by the terms of §6 of the Protective Order regarding  
5 Challenging Confidentiality Designations.

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7 **Dated: March 12, 2024.**

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11 Jamal N. Whitehead  
12 United States District Judge  
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**CERTIFICATE OF SERVICE**

I, Wright A. Noel, an attorney, hereby certify that on this 4<sup>th</sup> day of March 2024, I caused a true and correct copy of the foregoing *Declaration of Timothy E. Steen in Support of Defendant's Motion for Summary Judgment* to be served upon the following individuals via email:

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